

Anti-Dumping and
Other Trade Protection
Laws of the EC

fourth edition

VAN BAEL & BELLIS
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Anti-Dumping and other Trade Protection Laws of the EC

PREFACE TO THE FOURTH EDITION

Together with competition policy, trade policy is one of the areas where the Community authorities, and especially the Commission, enjoy wide investigative and regulatory powers.

The purpose of this book is to provide a comprehensive and up-to-date analysis of the EC's five trade protection laws, i.e. those dealing with dumping, subsidies, safeguards, trade barriers and unfair pricing practices in maritime transport, as interpreted and applied by the Community Institutions.

The book combines a critical commentary on the rules with practical guidance on their application.

The fourth edition discusses all the developments in the EC trade laws and their interpretation at Commission, Council, European Court and WTO levels that have occurred until mid-March 2004.

Many significant developments have occurred since the publication of the previous edition of this book. The fourth edition comprehensively analyses the numerous cases decided under the Anti-Dumping, Countervailing, Safeguard and Trade Barriers Regulations since the entry into force of the Uruguay Round Agreements on 1 January 1995. It also discusses the implications of the new Regulation on Unfair Pricing Practices in Airline Services. There are other differences with the third edition. We have decided to focus the analysis on the trade laws which are directly enforced by the Community Institutions, which is why the fourth edition no longer includes a discussion of Regulation 3295/94 dealing with counterfeit and pirated goods which is applied mostly by national authorities. The fourth edition also no longer includes the chapter dealing with the Shipbuilding Injurious Pricing Regulation as the latter never came into effect as a result of the US failure to ratify the OECD Shipbuilding Agreement.

We wish to acknowledge gratefully the assistance which we have received from the lawyers of Van Bael & Bellis in the preparation and drafting of the fourth edition of this book. In particular, we wish to acknowledge our debt to Benoît Servais and Fabrizio Di Gianni who have efficiently organized the drafting team and have themselves significantly contributed to several chapters. We also wish to express our gratitude to Renato Antonini, Fabrice D'Aprile, Clotilde du Parc, Petter Edfeldt, Reshad Forbes, Charles Julien, Monika Kuschewsky, Amy Mason and Yuri Rudiuk for their valuable contribution to the research and drafting effort.

VAN BAEL & BELLIS

March 2004

ABOUT THE AUTHORS

Van Bael & Bellis is recognized by the *European Legal 500* as first in Europe in the area of EC trade law. Lawyers of Van Bael & Bellis have handled more than 260 EC trade cases reflecting thirty years of practice and experience in EC trade law.

The multinational team of trade lawyers of Van Bael & Bellis, which is the largest in Brussels, advises exporters, importers, governments as well as trade associations involved in EC anti-dumping, countervailing, safeguard and trade barriers cases.

Van Bael & Bellis was also one of the first European law firms to open an office in Geneva devoted to WTO matters. Van Bael & Bellis provides assistance on all aspects of the WTO system, including dispute settlement as well as monitoring, implementation and support for negotiation of WTO issues.

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